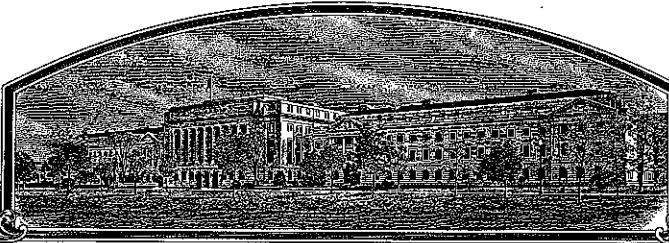


No.

200500104



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

The Board of Trustees of the University of Illinois

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.


NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

OAT

'Spurs'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-ninth day of September, in the year two thousand and six.

Attest:


Commissioner
Plant Variety Protection Office
Agricultural Marketing Service


Secretary of Agriculture

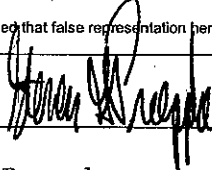


U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER The Board of Trustees of the University of Illinois		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME IL 95-1241		3. VARIETY NAME Spurs	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 506 S. Wright Street Urbana, IL 61801		5. TELEPHONE (include area code) 217-333-1920		FOR OFFICIAL USE ONLY PVPO NUMBER 2005 00 104 FILING DATE January 31, 2005	
		6. FAX (include area code) 217-244-2282			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) The University is a public corporation in the state of Illinois		8. IF INCORPORATED, GIVE STATE OF INCORPORATION		9. DATE OF INCORPORATION	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Steven G. Pueppke Associate Dean and Experiment Station Director 1301 W. Gregory, 211 Mumford Hall University of Illinois Urbana, IL 61801				F E E S R E C E I V E D FILING AND EXAMINATION FEES: \$ 3652.00 DATE 1/31/2005 CERTIFICATION FEE: \$ 768. ⁰⁰ DATE 8/04/2006	
11. TELEPHONE (include area code) 217-333-0240		12. FAX (include area code) 217-333-5816		13. E-MAIL pueppke@uiuc.edu	
14. CROP KIND (Common Name) Oat		16. FAMILY NAME (Botanical) Graminae		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP Avena sativa		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input checked="" type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input type="checkbox"/> NO (If "no", go to item 23)	
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input checked="" type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED		22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)			
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER 		SIGNATURE OF OWNER			
NAME (Please print or type) Steven G. Pueppke		NAME (Please print or type)			
CAPACITY OR TITLE Associate Dean		DATE		CAPACITY OR TITLE DATE	

(See reverse for instructions and information collection burden statement)

INSTRUCTIONS

2005 00 104

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be **received** in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to **reproduce** the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. **Retain one copy for your files.** All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvpindex.htm>

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682 <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
(2) the details of subsequent stages of selection and multiplication;
(3) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

No limit on the number of generations of Foundation seed. One generation of certified seed is allowed. There is no Registered class of seed.

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

Date of first availability - Feb.2, 2004

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Exhibit A**Origin and Breeding History of Spurs**

1) Spurs (previously designated IL 95-1241) was developed by the University of Illinois Agricultural Experiment Station. The pedigree of Spurs is: Jay / Rodeo. Jay was released by Purdue University in 1998, and Rodeo was released by the University of Illinois in 1996. The pedigree of Rodeo is Ogle// IL75-5667 / Ogle. The pedigree of IL75-5667 is Coker 227//Clintford/Portal. Spurs was derived from a single $F_{4.5}$ plant row selected in 1995 and designated IL95-1241. Panicles reselected from an $F_{4.6}$ single plot were planted in $F_{6.7}$ plant rows in 1997, a single plant row was harvested and seed from this plant row was used for a small increase ($F_{6.8}$) in 1998. Seed was increased further in 1999 ($F_{6.9}$), 2001 ($F_{6.10}$), and 2002 ($F_{6.11}$).

Breeding History and Evaluation Summary for Spurs

- 1993 Final cross made in the greenhouse
 F_1 plants grown in the field - summer 1993
 F_2 and F_3 population grown in the greenhouse (fall 1993 and winter 1993-94). These two generations were advanced by modified single seed descent.
- 1994 F_4 bulk population grown in the field and panicles selected.
- 1995 Single $F_{4.5}$ plant row selected in the field and designated IL 95-1241.
- 1996 IL 95-1241 was evaluated in a single plot nursery ($F_{4.6}$) and five panicles were selected for reselection plant rows.
- 1997 IL95-1241 was evaluated in two replicated trials in Illinois, $F_{6.7}$ reselection plant rows were grown, and one row selected as a source of pure seed increase.
- 1998 $F_{6.8}$ small increase was grown and IL95-1241 was evaluated in two trials in Illinois.
- 1999-2003 IL95-1241 was evaluated in four trials in Illinois each year.
- 1999 $F_{6.9}$ increase grown - variants rogued
- 2001 $F_{6.10}$ increase grown - variants rogued
- 2002 $F_{6.11}$ increase grown - variants rogued
- 2001& 02 IL95-1241 was evaluated in the Uniform Midseason Oat Performance Nursery and also in University of Illinois performance trials.
- 2003 A large increase of $F_{6.12}$ seed was grown by Illinois Foundation Seeds, Inc. as Foundation Seed.
- 2003 Decision to release Spurs was made.

2) Breeder seed of Spurs came from the $F_{6:11}$ increase grown in 2002. The field was inspected frequently and variants rogued. Foundation seed grown by Illinois Foundation Seeds, Inc. in 2003 was the $F_{6:12}$ generation.

3) The exact number of plants rogued from increases was not recorded, nor was the total number of plants grown in each generation determined; however, in each generation the number of variants rogued was much less than 1 % of the total number of plants.

4) Spurs has been stable and true-breeding for at least six generations from the F_7 to the F_{12} generation. Up to 0.5% tall plants are allowed and up to 0.5% nonfluorescent seeds are allowed.

5) Spurs was evaluated in breeding nursery trials in Illinois from 1997 - 2004, and for two years in the Uniform Midseason Oat Performance Nursery in 2001 and 2002. Spurs was selected based on it's excellent yield, good test weight, crown rust resistance, BYDV tolerance and other agronomic traits such as height and maturity.

Exhibit B**Statement of Distinctness**

Spurs is a spring oat cultivar with tan, fluorescent seeds. Spurs is most similar to Rodeo (one of the parents in the final cross).

Spurs is distinguished from Rodeo, Jay and Blaze by examination of basal hairs. Spurs has several to numerous short (1mm or less) basal hairs. In Rodeo basal hairs are absent to few. When present in Rodeo basal hairs are midlong (average length 2mm). Basal hairs are also absent to few in Jay. Blaze has few to several 2-3mm long basal hairs.

Spurs is also easily distinguished from Rodeo based on lemma color and fluorescence of seed. Seed of Spurs are fluorescent and seed of Rodeo are nonfluorescent. Spurs is easily distinguished from a number of varieties on the basis of seed color. For example, Ogle has yellow seed.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 051-0055. The time required to complete this information collection is estimated to average 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

Exhibit C

OBJECTIVE DESCRIPTION OF VARIETY
Oat (*Avena* spp.)

NAME OF APPLICANT (S) The Board of Trustees of the University of Illinois	TEMPORARY OR EXPERIMENTAL DESIGNATION IL 95-1241	VARIETY NAME Spurs
ADDRESS (Street and No. or RD No., City, State, Zip Code, and Country) 506 S. Wright St. Urbana, IL 61801		FORM OFFICIAL USE ONLY PVPO NUMBER 2005 00 104

Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (i.e. or) when the number is either 99 or less or 9 or less.

1. SPECIES:

1 = *Sativa*2 = *Byzantina*

3 = Other (Specify) _____

2. GROWTH HABIT:

1 = Winter

2 = Semi-Winter

3 = Spring

Juvenile Growth:

1 = Prostrate

2 = Semi-Prostrate

3 = Erect

3. MATURITY: (50% Flowering)

Number of days

No. Days Earlier Than

* Rodeo

Same as Check

No. of Days Later Than

Season

1 = Very Early (Jaycee) 2 = Early (Nodaway 70) 3 = Midseason (Clintford)

4 = Late (Lodi) 5 = Very Late (Gerry) 6 = Extremely Late (Mackinaw)

4. PLANT HEIGHT: (From Soil Level to Top of Head)

cm Tall

cm Shorter Than

* Rodeo

Same as Check

cm Taller Than

* Jay

* Relative to a Commercial Variety Grown in the Same Trial

6

5. STEM:

Diameter: 1 = Fine (Kherson) 2 = Medium (Clintford) 3 = Coarse (Nodaway 70)
 Hairiness at Upper Culm Nodes: 1 = Hairless 2 = Hairy a few hairs below upper node only
 Mature Stem Color 1 = Yellow 2 = Reddish

6. LEAF: (Leaf Color: The Royal Horticultural Society's or any recognized color chart should be used to determine the leaf color of the described variety.)

Carriage: 1 = Drooping (Random) 2 = Erect (Walken)
 Color: 1 = Yellow Green 2 = Light Green 3 = Dark Green 4 = Blue Green Royal Hort. Color 136B
 mm Width (First leaf below flag leaf) Leaf Margin: 1 = Glabrous 2 = Ciliate
 Ligule: 1 = Absent 2 = Present Leaf Sheath: 1 = Hairless 2 = Hairy

7. HEAD:

Panicle Shape: 1 = Equilateral 2 = Intermediate 3 = Side Panicle (Unilateral)
 Attachment of Lower Whorl of Branches: 1 = First Node 2 = Second Node (False Node)
 Panicle Size: 1 = Small (Yancey) 2 = Medium (Walken) 3 = Large (Markton)
 Panicle Width: 1 = Narrow (Gopher) 2 = Midbroad (Yancy) 3 = Broad (Nodaway 70)
 cm Panicle Length Number of Branches Number of Whorls of Branches
 Position of Branches: 1 = Ascending (Yancey) 2 = Spreading (Cayuse) 3 = Drooping (Markton)
 4 = Pectinate (White Tarter) 5 = Confused (Storm King)

8. RACHIS:

1 = Recurved (Yancey) 2 = Erect (Walken) mm Second Floret Rachilla Segment Length
 Second Floret Rachilla Segment: 1 = Hairless 2 = Hairy Rachilla Hairs: 1 = Short 2 = Long

9. SPIKELET:

Spikelet Separation by: 1 = Abscission 2 = Semi-Abscission 3 = Fracture
 Floret Separation by: 1 = Disarticulation 2 = Heterofracture 3 = Basifracture
 Florets per Spikelet (Mean no.)

10. GLUMES: (Glume Color: The Royal Horticultural Society's or any recognized color chart should be used to determine the leaf color of the described variety.)

mm Width mm Length No. of Veins on Glumes Color: 1 = White 2 = Yellow 3 = Red 4 = Striped

11. LEMMA: (Lemma Color: The Royal Horticultural Society's or any recognized color chart should be used to determine the leaf color of the described variety.)

mm Length Color: 1 = White 2 = Yellow 3 = Red
 tan 4 = Gray 5 = Black
 Hairiness of Dorsal Surface: 1 = Hairless 2 = Hairy

12. AWN: (First Floret)

Occurrence: 1 = Absent (Walken) 2 = Infrequent (Yancey) 3 = Common (Chilocco) 4 = Frequent (Random)
 2-3 Type: 1 = Non-twisted 2 = Twisted 3 = Twisted Geniculate
 mm Awn Length

13. SEED:

Florescence Under Ultraviolet Light:

1 = Florescent

2 = Non-florescent

Basal Hair

1 = Absent (Florida 501)

4 = Several to Numerous (Florilee)

2 = Absent to Few (Yancey)

5 = Numerous (Red Rustproof)

3 = Few to Several (Lee)

mm Basal Hair Length

gms per 1000 Seeds

mg Groat Weight (Each)

% Groat Protein

% Groat Oil

14. INSECTS: (0 = Not Tested 1 = Susceptible 2 = Resistant)

Cereal Leaf Beetle

Bluegrass Billbug

Grain Bug (C. Sayi)

Nematode (Type)

Green Bug (Biotype)

Other (Specify)

15. DISEASE: (0 = Not Tested 1 = Susceptible 2 = Resistant)

Halo Blight

Powdery Mildew

Septoria Leaf Blotch

Soil-Borne Mosaic

Helminthosporium
Leaf Blotch

Yellow Dwarf Virus

Victoria Blight

Other (Specify)

Specify Races Tested:

Crown Rust

Stem Rust

Covered Smut

Loose Smut

Races Susceptible	Races Resistant
NA 25,27,28,55,67	CR 13, 181,185,192,223,225
NA 8,16	
mixture-composite collection	

16. INDICATE THE VARIETY YOU BELIEVE MOST CLOSELY TO RESEMBLE THAT SUBMITTED:

CHARACTER	VARIETY	CHARACTER	VARIETY
Plant Tillering	Rodeo	Leaf Color	Rodeo
Leaf Size	Rodeo	Leaf Carriage	Rodeo
Seed Color	Blaze	Seed Shape	Blaze

COMMENTS:

Exhibit D**Additional Description of the Variety**

Spurs is a variety released by the University of Illinois Agricultural Experiment Station. Spurs has been very high yielding in tests in Illinois and throughout the spring oat growing region. Test weight of Spurs is very good. Spurs is a midseason variety. It heads about three days earlier than Rodeo and about 1-2 days earlier than Jay. Spurs is usually 4-5 cm shorter than Rodeo, but about 5 cm taller than Jay. Spurs is tolerant to barley yellow dwarf virus. Spurs has been resistant to crown rust (*Puccinia coronata* Cda. f. sp. *avenae* Eriks.), but may be susceptible to some races of crown rust. Spurs has tan, fluorescent seed. Recognized classes of seed of Spurs are Foundation and Certified. Spurs will be a Title V protected variety.

In Table 1, Spurs is compared to several cultivars in trials in Illinois. Spurs was evaluated in the Uniform Midseason Oat Performance Nursery in 2001 and 2002. Attached Tables 2 and 3 summarize data comparing Spurs to several cultivars in the 2001 and 2002 Uniform Midseason Performance Oat Nursery.

Table 1. Performance of Spurs and selected cultivars in experiments in Illinois.

	Yield	Test Weight	Heading Date	Height	Lodging	BYDV	Crown Rust
	(bu/A)	(lbs/bu)	(d after 1/1)	(in)	(0-9)	(0-9)	(0-9)
Spurs	136.2	33.5	145	36.4	2.7	3.7	2.2
Blaze	127.2	33.7	146	37.6	5.0	3.4	2.5
Ogle	125.4	31.4	147	38.4	2.9	4.0	4.9
Rodeo	129.1	31.6	148	38.9	3.4	5.0	3.8
Jay	132.1	34.3	147	35.8	1.5	5.0	1.7
No. of Tests	18	18	7	14	8	5	4

Lodging: 0 = none, 9 = completely lodged.

BYDV and crown rust: 0 = no symptoms, 9 = severe symptoms.

Table 2. Performance of Spurs, Ogle, Jerry and Leonard in the 2001 Uniform Midseason Oat Performance Nursery. Numbers in parentheses are rank in test out of 34 entries.

	Yield	Test Weight	Heading Date	Height	Lodging	BYDV	Crown Rust
	(Bu/A)	(lbs/bu)	(d after 1/1)	(in)	(%)	(0-9)	
Spurs	136 (6)	37.4 (10)	171 (2)	34.1 (2)	22.9 (4)	4.9	R-MR
Ogle	125 (29)	34.7 (33)	172 (6)	35.1 (9)	18.4 (2)	4.4	S
Jerry	118 (31)	38.0 (3)	172 (9)	37.1 (20)	41.3 (24)	6.0	MR-MS
Leonard	126 (28)	34.0 (34)	177 (34)	36.6 (17)	32.8 (14)	3.5	R-MR
No. of Tests	16	16	10	11	6	2	?

Data for the UMOPN are compiled and distributed by H.W. Rines and R. P. Halstead, USDA-ARS located in the Plant Science Research Unit at St. Paul, Minnesota.

Table 3. Performance of Spurs, Ogle, Jerry and Leonard in the 2002 Uniform Midseason Oat Performance Nursery. Numbers in parentheses are rank in test out of 32 entries.

	Yield	Test Weight	Heading Date	Height	Lodging	BYDV	Crown Rust
	(Bu/A)	(lbs/bu)	(d after 1/1)	(in)	(%)	(0-9)	
Spurs	104 (4)	37.0 (6)	174 (6)	31.4 (2)	23.8 (14)	2.5	MR
Ogle	102(6)	34.4 (30)	175 (12)	31.9 (5)	24.7 (15)	4	MS-S
Jerry	96 (25)	37.5 (3)	174 (10)	33.9 (17)	38.7 (26)	5	MR-MS
Leonard	102 (8)	34.0 (31)	179 (32)	32.7 (9)	46.4 (29)	4	MR-MS
No. of Tests	15	14	12	14	6	2	?

Data for the UMOPN are compiled and distributed by H.W. Rines and R. P. Halstead,
USDA-ARS located in the Plant Science Research Unit at St. Paul, Minnesota.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) The Board of Trustees of the University of Illinois	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER IL95-1241	3. VARIETY NAME Spurs
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 506 S. Wright St. Urbana, IL 61801	5. TELEPHONE (Include area code) (217) 333-1920	6. FAX (Include area code) (217) 244-2282
7. PVPO NUMBER		

2005 00 10 4

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☐ YES ☒ NO

Applicant is a U.S. university

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)? ☒ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company? ☒ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

Frederic L. Kolb, the breeder, is an employee of the University of Illinois!

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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12